



**Interoffice Memorandum**

March 23, 2022

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: Joseph C. Kunkel, P.E., Director, Public Works Department 

CONTACT PERSON: **Renzo Nastasi, AICP, Manager**   
**Transportation Planning Division**

PHONE NUMBER: **(407) 836-8072**

SUBJ: **Resolution and Local Agency Program Supplemental Agreement for the Oakland Avenue Roundabout**

The Board approved the Florida Department of Transportation's (FDOT) Local Agency Program Agreement for the Oakland Avenue Roundabout project on March 23, 2021. The purpose of Supplemental Agreement Number 1 is to revise the Schedule of Financial Assistance (Exhibit B) due to a higher than anticipated construction contract cost and increased availability of federal funds. The project cost increased from the engineers estimate of \$2,616,309 to a contract cost of \$3,272,344. The increase in cost was offset by an increase in availability of federal funds from \$2,308,882 to \$2,972,640. The County and the Town of Oakland executed an interlocal agreement for this project on October 13, 2020 which requires the County and the Town to split the construction engineering and inspection costs equally. The County's funding participation under the interlocal agreement is capped at \$700,000. The County is also required to pay \$100 by FDOT for indemnification. Therefore, the County's share is \$149,902 and the Town's share is \$149,802. The Town is required to provide its funding share to the County within 30 days of the construction notice to proceed.

FDOT has requested approval of a Resolution and Local Agency Program Supplemental Agreement Number 1. The County Attorney's Office, Risk Management Division, Transportation Planning Division and the Public Works Engineering Division have reviewed this Resolution and Supplemental Agreement and find them acceptable.

**Action Requested: Approval and execution of (1) Resolution of the Orange County Board of County Commissioners regarding the Local Agency Program Supplemental Agreement with the Florida Department of Transportation for the Oakland Avenue Roundabout project and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement Contract No. G1W76 FPN 444899-1-58/68-01. District 1.**

RN/BS/ep  
Attachments

SUPPLEMENTAL NO.

1

FEDERAL ID NO. (FAIN)

D520 067 B

CONTRACT NO.

G1W76

FEDERAL AWARD DATE

4/30/2021

FPN

444899-1-58/68-01

RECIPIENT DUNS NO.

06-479-7251

Recipient, Orange County and the Florida Department of Transportation, desires to supplement the original Agreement entered into and executed on May 12, 2021 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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#### PROJECT DESCRIPTION

Name Oakland Avenue Roundabout Length ~ 930 feet N/S & 1575 feet E/W

Termini Intersection of Oakland Avenue, JW Jones Road and Old Highway 50.

#### Description of Work:

This project involves the construction of a roundabout at the intersection of Oakland Avenue, JW Jones Road, and Old Highway 50. The western limits begin along Old Highway 50 approximately 790 feet west of the intersection with Oakland Avenue. The eastern limits begin along Oakland Avenue approximately 735 feet northeast of the intersection with Old Highway 50. The southern limits begin approximately 550 feet south of the proposed roundabout at the intersection of West Colonial Drive (State Road 50) and Oakland Avenue, and the northern limits begin at the intersection of JW Jones Road and Stone Arrow Court. The total length of the project is approximately 930 feet in the north/south direction and 1,575 feet in the east/west direction. The roundabout will also incorporate the existing West Orange Trail by redirecting it through the roundabout.

Roadway construction will include milling and resurfacing, full depth roadway construction, significant clearing and grubbing, driveway construction, gravity wall construction, curb and gutter, handrail installation, sidewalk construction, a 14 foot asphalt trail, detectable warning surfaces, fence installation, and signing and pavement markings. Signalization modifications will also be included at the intersections of State Road 50 and Oakland Avenue as well as JW Jones Road and Oakland Avenue. Work within the State Road 50 Right-of-Way include sidewalk and curb ramp construction, curb and gutter construction, turnout milling and resurfacing, full depth turnout construction, pavement markings, signalization modifications, stormwater pond and outfall construction, and Maintenance of Traffic (MOT). All pedestrian features included shall adhere to current ADA standards.

Drainage construction will include grading, curb inlet installation, ditch bottom inlet installation, pipe construction, manhole installation, and pond construction.

Coordination with the Department on any signal modifications at State Road 50, MOT along State Road 50, or work within the State Road 50 Right-of-Way will be necessary during construction. Utility coordination with all utilities including but not limited to AT&T, Charter Communications, Level 3 Communications, MCI, Centurylink, Duke Energy, Lake Apopka

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

525-010-32  
PROGRAM MANAGEMENT  
08/19

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Natural Gas, and Orange County Public Works. The Recipient (Orange County) will be locally funding the cost of Indemnification.

All Right-of-Way and Easements necessary for the proposed work have been acquired, and no additional acquisition is necessary.

Reason for Supplement and supporting engineering and/or cost analysis:

1. Pursuant to Paragraph 4.0 Project Cost of the Local Agency Program Agreement, the Recipient and the Department acknowledge and agree that the Schedule of Funding for Construction that includes the authorized and encumbered Federal funding and the Local funding contribution on the project shall be increased to an amount equal to the Recipient's construction contract award amount of \$2,972,740. This results in an increase of total construction funding by \$656,035.00. Federal funds will be increased by **\$663,758.00**, which is the difference between previous federal funding of **\$2,308,882.00** and the current federal funding of **\$2,972,640.00**. Local funds will be reduced by **\$7,723.00**, which is the difference between previous local funding of **\$7,823.00** and the current local funding of **\$100.00**.
2. Revisions to the federal and local funding amounts attributed to the amounts referenced above are reflected in the Adjusted Exhibit "B" Schedule of Financial Assistance, and in Exhibit "E", Federal Financial Assistance (Single Audit Act), attached hereto and incorporated herein.
3. The Recipient Resolution authorizing entry into this Supplemental Agreement is attached and incorporated into this Supplemental Agreement as Exhibit "D".

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**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

**ADJUSTED EXHIBIT "B" SCHEDULE OF FINANCIAL ASSISTANCE**

RECIPIENT NAME & BILLING ADDRESS: Orange County  
4200 South John Young Parkway  
Orlando, florida 32837

FINANCIAL PROJECT NUMBER: 444899-1-58/68-01

PHASE OF WORK By Fiscal Year	FUNDING					
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL LOCAL FUNDS	(5) TOTAL STATE FUNDS	(6) TOTAL FEDERAL FUNDS
<b>Design</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name) <b>Total Design Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Right-of-Way</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name) <b>Total Right-of-Way Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Construction</b> FY: 2020-2021 (LAP) \$2,308,882.00 FY: 2020-2021 (LAP) \$7,823.00 FY: 2021-2022 (LAP) \$0.00 <b>Total Construction Cost</b>	\$2,308,882.00 \$7,823.00 \$0.00 \$2,316,705.00	\$0.00 (\$7,723.00) \$663,758.00 \$656,035.00	\$2,308,882.00 \$100.00 \$663,758.00 \$2,972,740.00	\$0.00 \$100.00 \$0.00 \$100.00	\$0.00 \$0.00 \$0.00 \$0.00	\$2,308,882.00 \$0.00 \$663,758.00 \$2,972,640.00
<b>Construction Engineering and Inspection (CEI)</b> FY: 2020-2021 (LAP) \$299,604.00 FY: (Insert Program Name) FY: (Insert Program Name) <b>Total CEI Cost</b>	\$299,604.00 \$299,604.00	\$0.00 \$0.00	\$299,604.00 \$299,604.00	\$299,604.00 \$299,604.00	\$0.00 \$0.00	\$0.00 \$0.00
<b>(Insert Phase)</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name) <b>Total Phase Costs</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>TOTAL COST OF THE PROJECT</b>	\$2,616,309.00	\$656,035.00	\$3,272,344.00	\$299,704.00	\$ 0.00	\$2,972,640.00

COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, F.S. Documentation is on file evidencing the methodology used and the conclusions reached.

Precious L. Lewis  
District Grant Manager Name

DocuSigned by:  
*Precious L. Lewis*  
738E143F56974E3...  
Signature 5/20/2022 | 11:54 AM EDT  
Date

**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

IN WITNESS WHEREOF, the parties have executed this Agreement on the date last ascribed herein.

RECIPIENT ORANGE COUNTY

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By: Please see attached signature page

Name: Byron Brooks  
Title: County Administrator

DocuSigned by:  
*C. Jack Adkins*  
By: 1752524FC937405...

Name: C. Jack Adkins  
Title: Director of Transportation Development

Date: 5/20/2022 | 4:39 PM EDT

Legal Review:

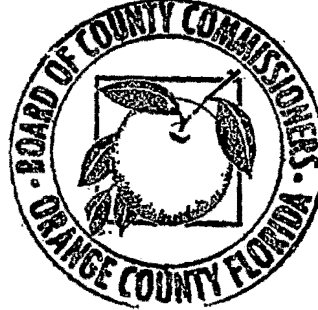
DocuSigned by:  
**Daniel McDermott**  
585E81E26BBA45C...

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

RECIPIENT ORANGE COUNTY

By: Board of County Commissioners

By: *Jerry L. Demings*  
for Jerry L. Demings, County Mayor



Attest: Phil Diamond, CPA, County Comptroller  
as Clerk of the Board of County Commissioners

By: *Katie Smith*  
Deputy Clerk

Printed name: **Katie Smith**

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM AGREEMENT**

**EXHIBIT D**

**RECIPIENT RESOLUTION**

The Recipient's Resolution authorizing entry into this Agreement is attached and incorporated into this Agreement.

**RESOLUTION**  
*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding the*  
**LOCAL AGENCY PROGRAM AGREEMENT**  
*with the*  
**FLORIDA DEPARTMENT OF TRANSPORTATION**  
*for the*  
**OAKLAND AVENUE ROUNDABOUT PROJECT**

**Resolution No. 2021-M-06**

**WHEREAS**, today, the Board of County Commissioners is approving a Local Agency Program Agreement with the State of Florida Department of Transportation for the Oakland Avenue Roundabout Project, designated therein by the FDOT as FPN No. 444899-1-58-01 and FPN No. 444899-1-68-01; and

**WHEREAS**, the FDOT requires that Orange County adopt a Resolution authorizing its officials to execute this Local Agency Program Agreement on Orange County's behalf.

**NOW, THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS:**

***Section 1. Authorization for County Mayor to Execute Local Agency Program Agreement and any Future Supplements or Amendments.*** The County Mayor is hereby authorized to execute the above described Local Agency Program Agreement with the FDOT on behalf of the County, and any and all future supplements and amendments thereto.



**Section 2. Effective date.** This Resolution shall take effect on the date of its adoption.

ADOPTED this \_\_\_\_ day of MAR 23 2021, 2021.

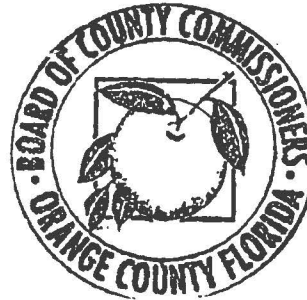
ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Jerry L. Demings*  
for Jerry L. Demings, County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
as Clerk of the Board of County Commissioners

By: *Phil Diamond*  
Deputy Clerk

Print Name: **Katie Smith**



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM AGREEMENT****EXHIBIT E****FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)****FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:**

**CFDA No.:** 20.205  
**CFDA Title:** Highway Planning and Construction  
Federal-Aid Highway Program, Federal Lands Highway Program  
**CFDA Program Site:** [https://beta.sam.gov/fal/1093726316c3409a8e50f4c75f5ef2c6/view?keywords=20.205&sort=-relevance&index=cfda&is\\_active=true&page=1](https://beta.sam.gov/fal/1093726316c3409a8e50f4c75f5ef2c6/view?keywords=20.205&sort=-relevance&index=cfda&is_active=true&page=1)  
**Award Amount:** \$2,972,640.00  
**Awarding Agency:** Florida Department of Transportation  
**Award is for R&D:** No  
**Indirect Cost Rate:** N/A

**FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE SUBJECT TO THE FOLLOWING:**

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards

<http://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1>

**FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE FOLLOWING:**

Title 23 – Highways, United States Code

<http://uscode.house.gov/browse/prelim@title23&edition=prelim>

Title 49 – Transportation, United States Code

<http://uscode.house.gov/browse/prelim@title49&edition=prelim>

Map-21 – Moving Ahead for Progress in the 21<sup>st</sup> Century, Public Law 112-141

<http://www.gpo.gov/fdsys/pkg/PLAW-112publ141/pdf/PLAW-112publ141.pdf>

Federal Highway Administration – Florida Division

<http://www.fhwa.dot.gov/fldiv/>

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)

<https://www.fsrs.gov/>